IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14110 of 2005

Between:

R. Lalithamma W/o R. Neelakantheshwara Reddy
R/o Sri Rameshwara Traders, Adoni, Kurnool District

..... PETITIONER

AND

The Joint Collector, Kurnool Kurnool District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st Respondnet in not passing the orders in proceedings Rc. Cs. 1.EC. No. 34/2002 27-03-2004 as illegal, arbitrary and malafide and consequently direct the respondent to pass the orders in the said proceedings and pass such other order or orders as this HOn'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.V.CHALAPATHI RAO

Counsel for the Respondent : GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

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ORAL ORDER

The substantive grievance of the petitioner is that proceedings initiated against the petitioner under Section.6-A of the Essential Commodities Act, 1955 (for short "the Act") is interminably being delayed. On 31-05-2005 the Vigilance officials inspected the mill run by the petitioner in Adoni on lease and sent up a report to the respondent alleging that 1185 bags of rice meant for the food for work programme was diverted to the petitioner's mill from MLS point, Adoni. Consequent on the said report Crime No.25 of 2002 was registered and proceedings also initiated against the petitioner under Section6-A of the Act. The seized stocks of the rice were disposed of through public distribution system and the sale proceeds remitted to the treasury. Petitioner's repeated representations for early disposal of the Sec.6-A proceedings did not yield result. On 27-03-2004 respondent issued a show cause notice framing three (3) charges and called for the petitioner's explanation within three (3) days. The petitioner submitted his explanation on 01-04-2004 denying the charges. Thereafter the case was adjourned on number of occasions and the respondent did not finalize the Sec.6-A proceedings, is the complaint.

Having regard to the chronology of the dates and events adverted above, this Court considers it appropriate that the writ petition be disposed of directing the respondent to consider and adjudicate upon the Sec.6-A proceedings initiated against the petitioner in 2002 with utmost expedition, in any event the 1st respondent shall pass final orders within three (3) weeks from the date of receipt of a copy of this Order and without fail.

Accordingly the writ petition is disposed of. No order as to costs.

GODA RAGHURAM,J

1st JULY 2005

*TSNR

To

1. The Joint Collector, Kurnool Kurnool District
2. Two CCS to G.P for Civil Supplies, High Court Buildings,Hyderabad(OUT)
3. Two C.D.Copies.